

Jerry Guerinot shoots from the hip

According to his former client Linda Carty, Jerry Guerinot is the worst lawyer in Texas if not America. Here, we take a more objective look at the attorney who was unfortunate enough to defend the most guilty murderess in America.



For various reasons including heavy commitments elsewhere, the following interview with Jerry Guerinot took some considerable time to set up, but it was worth it. If after reading the propaganda churned out by Reprieve or watching their lachrymosal videos about this supposed miscarriage of justice, anyone has any doubts about the guilt of Linda Carty, he – or more likely she – should read this, my interview with his co-counsel, and most of all the extensive judgments by the appellate courts.

Ten years ago, Linda Anita Carty was sentenced to death in Texas for the murder of a young mother, bizarre and shocking in equal measure. Joana Rodriguez was kidnapped from her Houston apartment along with her 4 day old son, and smothered in the trunk of a motor vehicle. Carty's original plan had been to kidnap the then heavily pregnant Rodriguez and physically cut the baby out of her. Two and a half years ago, the campaigning charity Reprieve decided to highlight her case in an innovative fashion. Unfortunately, Reprieve's enthusiasm was exceeded by some highly imaginative claims about both Carty's innocence and the quality of her legal representation. In short, she was framed by wicked drug dealers and failed by a useless lawyer; the masses of evidence affirming her guilt was twisted out of context, explained away or simply ignored.

Clive Stafford Smith and his organisation have been quite shameless in their lies, especially about Jerry Guerinot. Some background to the case of Linda Anita Carty can be found [here](#), and an interview with co-counsel the former Windi Akins can be found [here](#). Below is our interview with Jerry Guerinot.

Alexander Baron: Good to meet you at last, sort of. Can I ask how old you are sir, and how long you have been practising law?

Jerry Guerinot: I am 66 years old and have been practising for 40 years.

AB: I gather you used to prosecute before you became a defense attorney. Can I ask you how many capital cases you prosecuted and how many resulted in convictions and/or the death penalty?

JG: I prosecuted first as a first chair attorney in 2 capital cases; both resulted in the death penalty.

AB: Do you believe in the death penalty, or believe in it with reservations, or are you opposed to it?

JG: I am in favour of the death penalty.

AB: When and why did you become a public defender? *

JG: I am not a public defender; I am a lawyer who takes court-appointed cases, and that began in 1979.

AB: The people who have branded you the worst attorney in America claim you have more clients than any other lawyer on death row. You have countered that you practised in Harris County, which is the execution capital of America if not the world, and that you didn't get to choose your clients. I've looked up a few of them, and as you suggest, the statistics are indeed misleading. Derrick Sean O'Brien, who murdered two teenage girls after they were gang raped; Johnny Ray Johnson, who although convicted only of one murder, was responsible for other murders and rapes; and James Emery Paster, an Elvis impersonator, hit man and rapist-murderer who raped both his sister and his own mother; they don't come much worse than that. How does any lawyer defend a man like that?

JG: Derrick Sean O'Brien was not a case I tried. To be very clear, I have been given credit for cases in which I sat second with other attorneys, and if my name appears on the docket sheet, it's mine. The other cases you mentioned are the types of cases I was appointed to, the very worst of the worst. James Paster who killed ten people and attempted to kill at least three others. He had prior convictions for everything you could imagine. It took the jury only 7 minutes to convict him and 6 minutes to sentence him to death. Johnny Johnson was responsible for at least six murders here in Houston, and some in Austin. These were terrible cases. I did not defend them in the true sense of the word, rather I represented them to the fullest extent to ensure they each received a fair trial with every constitutional right to which the worst offender is entitled under our Constitution. Check out the Alex Adams case I tried in 2002; he killed a police officer and shot another five times. He had previously attacked his own father with an axe. My detractors never mention that case because it doesn't further their agenda.

[This is an interesting case; the victim's widow called the sentence a slap in the face, which means some defense attorneys are damned if they do and damned if they don't. Recently, Windi Akins Pastorini who was Guerinot's co-counsel on the Carty case secured the acquittal of a 12 year old girl who was facing a murder charge after shooting her own father.]

AB: How did you come to defend Linda Anita Carty?

JG: I was appointed to represent Linda Carty by Judge Carol Davies of the 17th District Court.

AB: Linda Carty says prior to trial you spent only 15 minutes with her, a claim that is parroted uncritically, or perhaps maliciously, by her supporters. The court record says something different. Which is correct?

JG: For more than three months, Linda Carty refused to talk to me, insisting she would be represented by three or four different lawyers, which of course was not true. I had her examined by Dr Jerome Brown to see if she suffered from any mental illness. He found none. I also asked him to assess her future dangerousness. [An important factor in capital cases.] He would not state an opinion about this, but did say she was not a dangerous person *per se*. In my opinion, Linda was a person who did not live in the real world, and I told Dr Brown this, but still he found no mental illness when he examined her.

AB: Another of their claims is that you failed to seek consular assistance for a British citizen.

JG: I did ask Linda about her citizenship; she stated she was an American citizen, so obviously I saw no reason to contact the British authorities. [This is confirmed by the findings of fact of the appellate courts.]

AB: What about this silly claim about bribing her with chocolate?

JG: I gave Linda chocolate so she would talk to us about her case. What she did with it I don't know; some inmates use these items as cash in the jail.

AB: What was your trial strategy?

JG: My instructions were that Linda was totally innocent. My strategy was therefore to blame her co-defendants for the robbery, kidnap and murder.

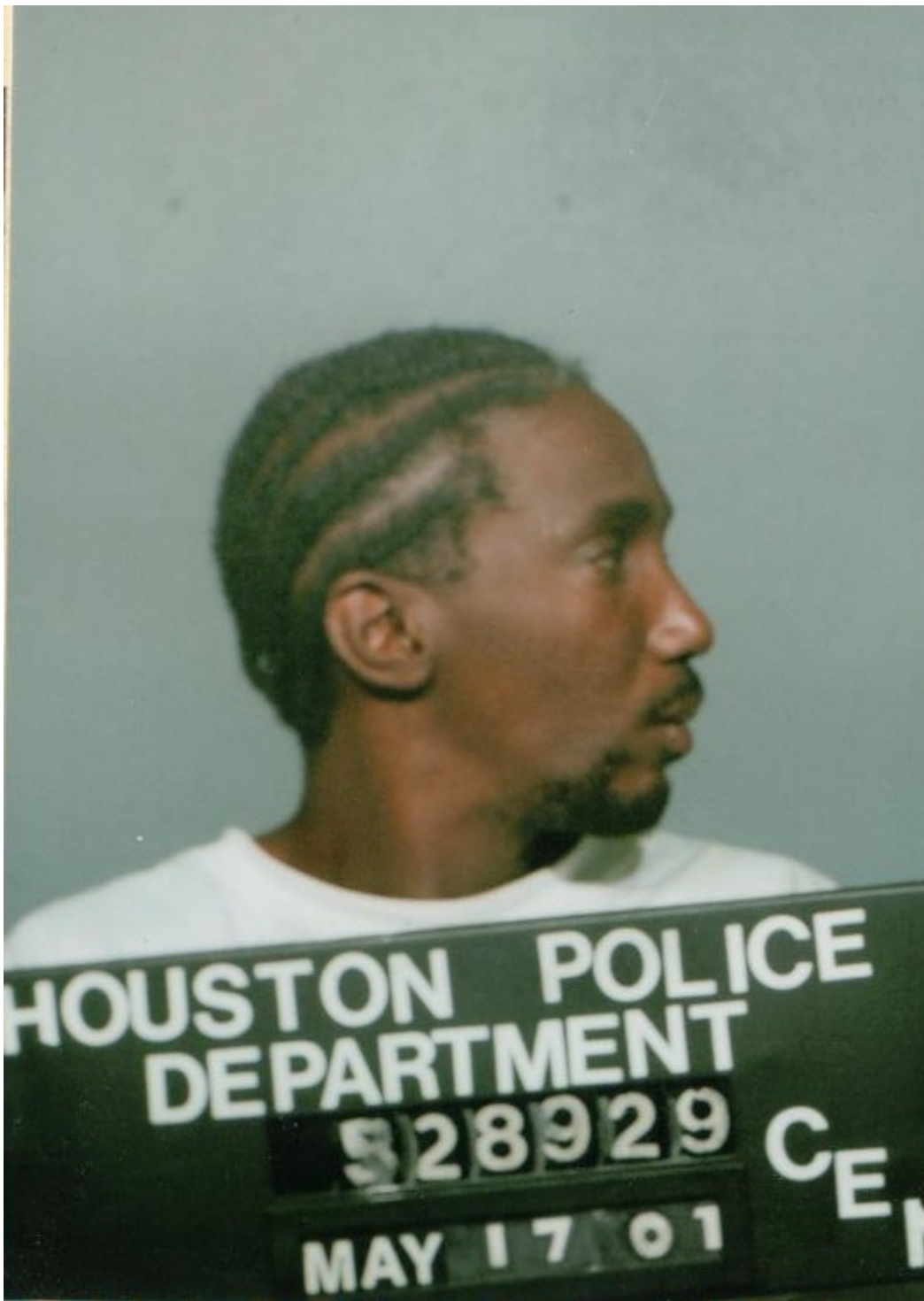
AB: Did you advise her not to take the stand?

JG: I did advise her not to take the stand because I did not think she would have helped her case by testifying. I represented her and her alone because of the obvious conflict of interest. Her co-defendants were devastating witnesses against Linda aided by a mountain of other evidence.

[In English law, Linda Carty would have been what is known as a vulnerable witness, which can mean many things, but in her case means liar. The best hope the defense had – other than an insanity plea – was to test the case against her, but as she insisted she was not guilty, her attorney had little choice but to follow her instructions. As the stories told by her co-defendants were substantially different from hers, there is no way they could have been represented by the same lawyer. It is impossible for a lawyer to argue that one of his clients didn't take part while arguing simultaneously that not only did she take part but that she set up the crime and committed the actual murder.]

AB: From the little I know about the others involved, Christopher Robinson seems to be someone who is not beyond redemption. What would you say to that?

JG: I think Linda's co-defendants were very simple people, and that contributed to their believability. I don't have an opinion about their redeemability, but their anger toward Linda for having lied to them about what was going to happen was very obvious and made their testimony very believable.



Small time criminal Christopher Robinson, one of Carty's co-defendants. Unlike her, he didn't have the stomach for murder, otherwise three people might have ended up dead instead of one.

AB: I gather your were such a terrible lawyer that you managed to get some damning evidence suppressed by the court.

JG: Linda's hotel room was full of baby clothes, baby bottles, diapers, towels for the baby, baby formula – you name it, she had it. The *USA Today* that was delivered that morning had one of her co-defendant's fingerprints on it. It had to have happened that morning, and Linda said she never knew any of them, and that this was a complete frame up. She had no other answer. We managed to have this evidence suppressed, but there was still plenty more.

AB: Anything you'd like to add?

JG: Over the weekend I remembered how disgusted the jury seemed with Linda's suggestion on how to dispose of the victim's body. Her first suggestion was to burn the body on the barbeque pit until it was completely destroyed. Her second was to stuff it into a 55 gallon drum and bury the drum in the very back of the property, and never tell anyone about it. Her co-defendants would have no part of this, and they had extensive records for all types of crimes. These were Linda's suggestions, and hers alone.

AB: Jerry Guerinot, thank you very much for setting the record straight along with your co-counsel.

[The above article was [first published April 24, 2012](#). * A public defender is a government employee; a court-appointed attorney isn't. Only a small point, but...Regarding mental illness, so called, check out [this article](#). When I re-edited this page on August 14, 2024, I made some very minor, purely cosmetic alterations.]